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Via ECF

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

January 5, 2023

MEMO ENDORSED

Re: ***Taveras v. T-Mobile USA, Inc.***
Case No. 1:22-cv-8731-KPF

Dear Judge Failla:

We represent Plaintiff Furcy Taveras and the putative class in the above referenced action. Pursuant to Your Honor's Individual Rule 2(D), we write to respectfully request a brief adjournment of the Initial Pretrial Conference/Pre-Motion Conference, currently scheduled for January 20, 2023 at 4:00 p.m. This is the first adjournment request (by either party) of this conference, which is being sought because I (anticipated principal trial counsel) will be out of the country from January 18 through January 22.¹ Despite my best efforts, I have been unable to ascertain whether I will have sufficient internet service to allow for me to participate in the conference. Defendant consents to this request.

Relatedly, the parties jointly respectfully request clarity as to whether Your Honor intends to convert the conference at issue into simply a pre-motion conference to discuss Defendant's anticipated motion to dismiss, or prefers that the parties complete and submit a Proposed Civil Case Management Plan and Scheduling Order and a joint letter in advance of any rescheduled conference in accordance with Your Honor's Rules.

The Court's time and consideration is sincerely appreciated.

Respectfully submitted,

LEEDS BROWN LAW, P.C.



Brett R. Cohen

¹ This trip was planned and booked months before the notice of the initial pretrial conference had been sent.

Application GRANTED. The conference currently scheduled for January 20, 2023 is hereby ADJOURNED to 4:00 p.m. on **February 8, 2023**. That conference will be a pre-motion conference to discuss Defendant's anticipated motion to dismiss and/or stay. (See Dkt. #9). The parties need not submit a proposed case management plan or joint letter in anticipation of the conference.

The Clerk of Court is directed to terminate the motion at docket entry 13.

Dated: January 5, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE